

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

JANICE BECKFORD,

Plaintiff,

VS.

PRESSLER & PRESSLER, LLP

Defendant.

Civil Action No.

COMPLAINT

Jury Trial Demanded

NATURE OF ACTION

1. This is an action brought under the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692 *et seq.*

JURISDICTION AND VENUE

2. This Court has jurisdiction under 15 U.S.C. § 1692k(d) and 28 U.S.C. § 1331.

3. Venue is proper before this Court pursuant to 28 U.S.C. §1391(b), where the acts and transactions giving rise to Plaintiff's action occurred in this district, (where Plaintiff resides in this district), and/or where Defendant transacts business in this district.

PARTIES

4. Plaintiff, Janice Beckford (“Plaintiff”), is a natural person who at all relevant times resided in the State of New Jersey, County of Bergen, and City of Elmwood Park.

5. Plaintiff is a “consumer” as defined by 15 U.S.C. § 1692a(3).

6. Defendant, Pressler & Pressler, LLP (“P&P”) is an entity who at all relevant times was engaged, by use of the mails and telephone, in the business of attempting to collect a “debt” from Plaintiff, as defined by 15 U.S.C. §1692a(5).

FACTUAL ALLEGATIONS

7. Plaintiff is a natural person obligated, or allegedly obligated, to pay a debt owed or due, or asserted to be owed or due a creditor other than Defendant.

8. Plaintiff's obligation, or alleged obligation, owed or due, or asserted to be owed or due a creditor other than Defendant, arises from a transaction in which the money, property, insurance, or services that are the subject of the transaction were incurred primarily for personal, family, or household purposes. Plaintiff incurred the obligation, or alleged obligation, owed or due, or asserted to be owed or due a creditor other than Defendant.

9. Defendant uses instrumentalities of interstate commerce or the mails in a business the principal purpose of which is the collection of any debts, and/or regularly collects or attempts to collect, directly or indirectly, debts owed or due, or asserted to be owed or due another.

10. In connection with an alleged debt, Defendant placed a call to Plaintiff's cellular telephone on February 19, 2011 at 12:16 P.M., and at such time, left a voicemail message for Plaintiff in which Defendant failed to disclose the individual identity of the caller, failed to disclose the true corporate and/or business name of the debt collection company, and failed to notify Plaintiff that

the communication was from a debt collector. (15 U.S.C. §§ 1692d(6), 1692e(11)).

**COUNT I
DEFENDANT P&P**

11. Plaintiff repeats and re-alleges each and every allegation contained above.

12. Defendant violated the FDCPA as detailed above.

WHEREFORE, Plaintiff prays for relief and judgment, as follows:

- a) Adjudging that Defendant violated the FDCPA;
- b) Awarding Plaintiff statutory damages, pursuant to 15 U.S.C. §1692k, in the amount of \$1,000.00;
- c) Awarding Plaintiff actual damages, pursuant to 15 U.S.C. §1692k;
- d) Awarding Plaintiff reasonable attorneys' fees and costs incurred in this action;
- e) Awarding Plaintiff any pre-judgment and post-judgment interest as may be allowed under the law;
- f) Awarding such other and further relief as the Court may deem just and proper.

TRIAL BY JURY

13. Plaintiff is entitled to and hereby demands a trial by jury.

Dated: May 18, 2011

Respectfully submitted,

/s/ Dennis R. Kurz
Dennis R. Kurz

NJ Bar No. 4570453

Weisberg & Meyers, LLC

Attorneys for Plaintiff

5025 N. Central Ave., #602

Phoenix, AZ 85012

(888) 595-9111 ext. 412

(866) 842-3303 (fax)

dkurz@attorneysforconsumers.com